

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER**

UNITED STATES OF AMERICA) Case No. 4:24-cr-3
)
v.) Judge Atchley
)
JAMES HOWARD MALONE, JR.) Magistrate Judge Steger

ORDER

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation [Doc. 22] recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Count One of the one-count Indictment; (2) accept Defendant's guilty plea to Count One of the one-count Indictment; (3) adjudicate Defendant guilty of Count One: possession of a firearm by a convicted felon in violation of 18 U.S.C. § 922(g)(1); and (4) order that Defendant remain in custody pending sentencing or further order of this Court.

After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 22] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea to Count One of the one count Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count One of the one-count Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of Count One: possession of a firearm by a convicted felon in violation of 18 U.S.C. § 922(g)(1); and
4. Defendant **SHALL REMAIN** in custody until further order of this Court or sentencing in this matter which is scheduled to take place on **August 22, 2024, at 2:00 p.m.**

SO ORDERED.

/s/ Charles E. Atchley, Jr.

CHARLES E. ATCHLEY, JR.

UNITED STATES DISTRICT JUDGE